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added. It is respectfully submitted that these amendments should therefore be entered.

Claims 32-47 and 51-53 have been rejected under 35 U.S.C. §112, second paragraph, as being incomplete for omitting essential elements. The Examiner states that Applicants have not disclosed in these claims that each band forms a sleeve which encloses a space, and that this omission results in an incomplete description of the container. Claim 47 has been amended to affirmatively set forth that the closed band of blast resistant material encircles a volume, in which the blast mitigating material is located. It is respectfully submitted that this makes moot the rejection of claim 47 and claims 51-53 depending therefrom. With respect to claims 32-46, Applicants respectfully disagree with the Examiner's rejection for the reasons that follow. Independent claims 32 and 33 both require the presence of at least three bands of material oriented relative to one another to substantially enclose a volume; this volume correlates to the "space" that the Examiner suggests is missing from Applicants' claims. Since the "space" is not missing from claims 32 and 33, it is respectfully submitted that this rejection is in error. Claims 34-46 depend, directly or indirectly, from claim 33 so the foregoing discussion is equally applicable to them. It is respectfully requested that the rejection under 35 U.S.C. §112 be withdrawn.

Claims 1 and 8 stand rejected under 35 U.S.C. 102(b) as being anticipated by Morrison (U.S. 3,093,259). Applicants respectfully disagree and request the withdrawal of this rejection.

A prior art reference must teach every element to anticipate a claimed invention. Morrison fails to do this since its panels are not connected at the common edges with a fibrous material, required by amended claim 1 and claim 8.

Claims 1, 2, 8, 10, 11, 13, 15, 19, 33 and 46 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Galber (U.S. 4,915,291) in view of MacDonald et al. (U.S. 3,822,807). Applicants respectfully traverse this rejection and request its withdrawal for the reasons that follow.

It is the Examiner's position that Galber discloses the claimed invention except for the blast mitigating material. This is not so. Galber discloses a self-

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sealing modular packaging envelope or container, formed from a tubular body with a cover on either end. After complete assembly of the container, the self-sealing function (a fixed coupling) prevents opening of the container without the forcible, destructive removal of at least one of the covers. See column 2, lines 46-48. Furthermore, there are no specific materials of construction set forth; rather, "...any suitable materials, depending on the provided use for the container..." can be used. See column 2, lines 35-37. Impermeable materials are broadly referred to as suitable for use in "...packaging grains, powders, liquids and so on." See column 2, lines 38-40. One advantageous use disclosed is for hospital waste materials, i.e., as a medical waste container. It is clear therefore that the inventor's contemplated use for the envelope or container is as packaging designed for disposal or destruction - one-time use. There is nothing to teach or suggest that the packaging envelope or container is blast resistant or designed so as to receive an explosive. And contrary to the Examiner's assertion, Applicants can find nothing in Galber to teach or suggest a fibrous material as a suitable choice for construction. If one assumes, arguendo, that Galber does suggest the use of appropriate fibrous material, the design of the Galber container is still unable to take advantage of the tensile strength of the fibrous material for two reasons. First, the pressure resistance of the central tube (tubular body) of the Galber container is limited by the shear strength of the bond of the narrow flap extending from the fourth face to the first face. Secondly, the closure provided by the two box-like bodies is only sufficient to withstand de minimus pressures. It is respectfully submitted therefore, that Galber does not teach the claimed invention.

MacDonald et al. fails to supply the deficiencies of Galber. MacDonald et al. teaches the use of reticulated foam balls as explosion suppressing means in ullage-containing containers. This, in and of itself, will not make the ineffective container of Galber effective to withstand a blast. There is nothing in MacDonald et al. that teaches or suggests the collapsible container of blast resistant material claimed by Applicants, nor the fibrous material of many of the claims. It is respectfully submitted, therefore, that MacDonald et al. is no more relevant than the art cited by Applicants in the paragraph bridging pages 2 and 3 of the specification.

The Examiner states that "[t]he material of the Galber container is considered fibrous." There is nothing cited to support this statement. As previously indicated, Galber only mentions that the bodies can be made from any material suitable to the use for the container. See Column 2 at lines 34-37. The only way that one can

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arrive at Applicants' claimed fibrous material from Galber is with the impermissible use of hindsight, not by what Galber fairly teaches.

Claims 3-6, 16-18, 20-28, 30, 35-43 and 45 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Galber in view of MacDonald et al., as applied to claims 1, 2, 15 and 33 above, and further in view of Prevorsek et al. (U.S. 5,545,455). Applicants respectfully traverse this rejection and request its withdrawal for the reasons that follow.

The prior discussion with respect to Galber and MacDonald et al. is incorporated here. With reference to Prevorsek et al., Applicants acknowledge that the fibers and matrices disclosed therein have utility in Applicants' claimed invention. However, Applicants respectfully disagree with the Examiner's assertion that it would have been obvious to one having ordinary skill in the art at the time the invention was made to provide the modified container of Galber with the fibrous material of Prevorsek et al., in order to make a container with improved penetration resistance. As stated previously, the Galber containers are designed to be disposed of after a single use, and there is absolutely nothing in Galber to suggest that the containers should be used to contain explosives.

With reference to the citation of In re Aller by the Examiner, Applicants are of the opinion that this is inapposite to the case at hand. First, Applicants believe that the general conditions of its claims are not disclosed in the prior art. With respect to the number/percentage of fibers that should be "substantially continuous", Applicants would note that the nature of the blasts/explosions that were tested with the claimed container assemblies were significant – the amounts of C4 and Trenchrite 5 utilized to test these containers (and establish C50 values) were lethal. Fiber content and orientation was demonstrated to vastly enhance ballistic performance – see Example 5 vs. Example 6 wherein a fiber fraction increase of 50% resulted in a 50% increase in the C50 value. See In re Antonie, 195 USPQ 6 (CCPA 1977).

Claims 1, 2, 9, 33 and 46 stand rejected under 35 USC 103(a) as being unpatentable over Galber in view of Gettle et al. Applicants respectfully traverse this rejection and request its withdrawal for the reasons that follow.

The prior discussion with respect to Galber is incorporated here. The Gettle et al. reference fails to supply the deficiencies of Galber. Gettle et al. teaches the use of aqueous foams as a pressure attenuation medium for shock waves in a

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porous container. There is nothing in Gettle et al., however, that teaches or suggests the collapsible container of blast resistant material claimed by Applicants, nor the fibrous material of the claims. There is furthermore no motivation to combine these two references. The Galber reference discloses disposable packaging containers whereas the Gettle et al. reference discloses reusable assemblies for attenuation of pressures.

Claims 3, 4, 7, 20, 23, 27, 29, 31, 35, 38, 42 and 44 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Galber in view of Gettle et al., as applied to claims 1, 2 and 33 above, and further in view of Prevorsek et al. Applicants respectfully traverse this rejection and request its withdrawal for the reasons previously set forth with respect to Galber, Gettle et al, and Prevorsek et al.

Claims 1, 10, 11, 14, 33 and 34 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Lewis (USP 674,009) in view of MacDonald et al. Applicants respectfully traverse this rejection and request its withdrawal for the reasons that follow.

It is the Examiner's position that Lewis discloses the claimed invention except for the blast mitigating material. Applicants respectfully disagree. Lewis discloses that it is known in the art to construct a container from three separate bands of material. However, Lewis fails to disclose or suggest that its bands are blast resistant or that any portion of them should be formed from fiber (see amended claim 1 and independent claims 32 and 47. One of ordinary skill in the art would not consider the bands of "stiff paper" or "stiff cellular paper board" to be blast resistant, regardless of construction mode, and certainly not suggestive of fiber.

MacDonald et al. fails to supply the deficiencies of Lewis. MacDonald et al. teaches the use of reticulated foam balls as explosion suppressing means in ullage-containing containers. There is nothing in MacDonald et al., however, that teaches, or suggests the collapsible container of blast resistant material claimed by Applicants, nor the fibrous material of the claims. It is respectfully submitted that MacDonald et al. is no more relevant than the art cited by Applicants in the paragraph bridging pages 2 and 3 of the specification.